

**MINUTES OF THE 2011 WEBSTER TOWN MEETING
MARCH 8, 2011 AND MARCH 12, 2011**

**Tuesday, March 8, 2011 -- THE POLLS WERE OPEN FROM 10:00 A.M. TO 7:00 P.M.
TO ACT ON ARTICLES 1-7**

Moderator pro-tem, Clarence Jeffrey declared the polls open at 10:00 am. He announced and read a Protest Petition regarding warrant articles 6 and 7 on the ballot.

ARTICLE 1: To choose all necessary Town Officers for the ensuing year.

OFFICE	# YRS. TERM	NAME	# OF VOTES
Selectman	3	David Klumb	196
		Bruce Johnson	302
Tax Collector	1	Karen King	462
Town Clerk	1	Michele St. Jacques	473
Treasurer	1	Mary Smith	457
Cemetery Trustee	3	Brenda Silver	459
Library Trustee	3	Sandra Starkey	459
Trustee of Trust Funds	3	Judith Jones	456

499 ballots cast

ARTICLE 2: **PASSED** **YES – 337 NO – 103**
Are you in favor of the adoption of **Amendment No. 1** as proposed by the Planning Board for the existing Webster Zoning Ordinance as follows?

Repeal Article II Definition of “Accessory Apartment” and replace with the following:

Accessory Apartment. A second dwelling unit attached (in or added) to a single-family dwelling, for use as a complete, independent living facility with provision separate from the primary single-family dwelling for cooking, eating, sanitation and sleeping.

ARTICLE 3: **PASSED** **YES – 290 NO – 158**
Are you in favor of the adoption of **Amendment. No. 2** as proposed by the Planning Board for the existing Webster Zoning Ordinance as follows?

Repeal Article III Section 2 and replace with the following:

2. A building lot shall have no more than one single family residence, commercial establishment or a manufactured housing unit thereon unless otherwise permitted by Special Exception.

ARTICLE 4: **PASSED** **YES – 254 NO – 197**
Are you in favor of the adoption of **Amendment No. 3** as proposed by the Planning Board for the existing Webster Zoning Ordinance as follows?

Repeal Article V Section 6. (Accessory Apartments) (See new wording in the next proposed amendment.)

ARTICLE 5:

PASSED

YES – 281 NO – 160

Are you in favor of the adoption of **Amendment No. 4** as proposed by the Planning Board for the existing Webster Zoning Ordinance as follows?

Repeal Article V Section 3 (Conversion to Two-Unit Dwelling) and replace with the following:

3. Accessory Apartment. An accessory apartment may be permitted by special exception for new construction or existing dwellings if the following conditions and standards are met:

- A. The proposed accessory apartment shall have a minimum of four hundred (400) and a maximum of six hundred (600) square feet of gross floor area.
- B. The proposed accessory apartment shall contain a separate kitchen.
- C. The proposed accessory apartment shall contain a separate bathroom.
- D. The proposed accessory apartment shall contain only one bedroom.
- E. The proposed accessory apartment shall have at least two means of egress leading to safe and open space at ground level. These entrances shall not be combined with another unit's entrances except by a common hallway.
- F. The proposed unit must meet all relevant life safety and sanitary codes.
- G. The applicant shall obtain approval from the Town Septic Reviewer and New Hampshire Department of Environmental Services showing that the septic system and water supply system for the dwelling are adequate for two (2) units.
- H. The applicant shall submit a plot plan and a floor plan to the Zoning Board of Adjustment in accordance with that Board's procedures.
- I. Only one accessory apartment shall be permitted on a lot.
- J. Accessory apartments shall not be permitted in the Pillsbury Lake District.

ARTICLE 6:

PASSED

YES – 261 NO – 187

Are you in favor of the adoption of **Amendment No. 5** to the existing Webster Zoning Ordinance as submitted by Petition as follows?

To amend Article III, Section 2 of the Town of Webster Zoning Ordinance to include the following language:

No recreational vehicle stored or parked in a State and locally-approved campground shall be allowed to be converted into a dwelling unit.

No additions to recreational vehicles shall be allowed once stored or parked in a State and locally-approved campground; excepting (a) that a "manufactured screen room" shall be allowed to be added to the recreational vehicle during the operating season provided that prior approval is obtained from the owner of the campground; and provided that said "manufactured screen room" is detached from the recreational vehicle and stored away at the end of each campground season; and excepting (b) that "wooden platforms" and

“decks” shall be allowed to be added to the recreational vehicle during the operating season provided that prior approval is obtained from the owner of the campground, and provided said wooden platforms and decks are not attached to the recreational vehicle, and provided said wooden platforms and decks must rest on the ground or blocks.

Any “manufactured screen room”, “wooden platform”, or “deck” used in regards to said recreational vehicles must meet specific guidelines as provided, approved and enforced by the owner of the campground.

(BY PETITION) (NOT RECOMMENDED BY THE PLANNING BOARD)

ARTICLE 7: **PASSED** **YES – 283 NO – 161**
Are you in favor of the adoption of Amendment No. 6 to the existing Webster Zoning Ordinance as submitted by Petition as follows?

To amend Article III, Section 5 of the Town of Webster Zoning Ordinance to include the following language:

A recreational vehicle may be stored or parked in a State and locally-approved campground when the campground is closed for the operating season by the owner of the recreational vehicle provided the recreational vehicle is not “used” for any purpose during when the campground is closed for the operating season and that access to the recreational vehicle is restricted by the owner by the said campground so that access can only be made through a gate to the said campground and with permission only to be granted by the owner of the said campground to the owner of the recreational vehicle so that the owner of the recreational can inspect the recreational vehicle when the campground is closed for the operating season.

(BY PETITION) (NOT RECOMMENDED BY THE PLANNING BOARD)

**BUSINESS MEETING AT THE TOWN HALL ON
SATURDAY, MARCH 12, 2011 AT 10:00 A.M.
TO ACT UPON THE FOLLOWING SUBJECTS**

The meeting was called to order at 10:01am. Moderator Janeway invited the Girl Scouts to lead us in the Pledge of Allegiance. Moderator Janeway called attention to the Town Report and the dedication to Bob Pearson. A moment of silence was held for Bob and others missed in 2010.

The “Golden Snowplow Award” was given to Road Agent, Emmet Bean and his crew for the great job they do by the Moderator.

The Moderator read the election results. Bruce Johnson was the new Selectman with all other positions unopposed. Ballots cast was 499. All zoning ordinances passed.

Selectman David Klumb provided a budget summary of where the Town is heading. Budget is down \$9,770.35 or .61% from last year. Salaries are up, police and fire budget is up. Money is being saved in capital expenditures.

ARTICLE 8: To see if the Town will vote to change, pursuant to RSA 35:16, the purpose of the Webster/Hopkinton Transfer Station Equipment Fund previously established in 2008 to the Webster/Hopkinton Transfer Station Fund for the purpose of future landfill purchases and improvements and to designate the Board of Selectmen as Agents to expend.

(2/3 Vote Required, by Hand Count)
This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Hashem explained the fund was established so Webster would not be hit with large equipment expenditures made by the Town of Hopkinton for the Transfer Station. This warrant article changes the fund's name to broaden the use of the fund for other purposes such as paving and building improvements. The name change will expand the capabilities of the fund for campital improvements wheather it be land, equipment or building.

Moderator called for a hand vote.

PASSED HAND COUNT – YES -- 134 NO – 1

ARTICLE 9: To see if the Town will vote to raise and appropriate the sum of One Hundred Forty Thousand Dollars (\$140,000) for road pavement preservation.

This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Klumb explained in prior years \$100,000 was budgeted to fix a specific road or section of road, neglecting the other roads. There are roads that need some work and others that need a lot of work. To prevent further disrepair to the roads no specific road will be earmarked for repair; it will be left to the Road Agent and Selectmen to decide which roads need repair and which roads need reconstruction. There is not enough money to reconstruct all the roads so steps will be taken to repair them. The saveable roads will be sealed and a look will be taken as to which roads need to be rebuilt.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) to help offset the cost of the bond for "Funds to Repair Dam" passed at the Pillsbury Lake Water District Special Meeting held August 5, 2006.

This Article is recommended by the Board of Selectmen

Moved and seconded.

When the Pillsbury Lake dam failed in 2006, the Village Disctrict held a meeting to fund the rebuilding of the dam. The Board of Selectmen attended the meeting and agreed that repairing the dam kept the village districts' property assessments level. The bond was for 20 years.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to create an Expendable Trust Fund under the provisions of RSA 31:19-a, to be known as the Highway Building Maintenance Expendable Trust Fund for the purpose of covering unexpected highway building expenses that may come before the Town and to appoint the Board of Selectmen and the Road Agent as Agents to Expend.

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Cummings explained that the salt shed is in need of repair before anyone gets hurt.

Martin Bourque asked if Department of Environmental Services ever examined the site of the shed relative to the Blackwater River. Bob Lake said it was reviewed when it was built and approved.

Road Agent Bean mentioned that the money was asked for a couple years ago but was cut due to the budget cuts at Town Meeting.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of Four Hundred Twenty-seven Thousand Four Hundred Thirty-eight Dollars (\$427,438) for General Government:

Executive	\$10,295
Election, Registration & Vital Statistics	20,955
Financial Administration	138,761
Revaluation of Property	22,900
Legal Expenses	16,250
Personnel Administration	44,070
Planning & Zoning	18,300
General Government Buildings	42,653
Cemeteries	12,700
Insurance	100,454
Outside Services (Forester)	100

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Hashem reviewed each line item and explained any increases or decreases. There are more hours for the Town Clerk and Deputy Town Clerk and more supplies. After three years, the Financial Administrator and Administrative Assistant are getting a raise. Legal Expenses are down 47% due to the balance being up in the capital reserve fund for legal. Health insurance costs were down 3%.

Dick Foss asked if there had been an Energy audit on the Town buildings. Selectman Klumb explained that Marty Bender was heading the Energy Committee and that all light fixtures had been replaced in the Town Hall. Marty Bender mentioned there would be an energy assessment performed for free in April. Town Clerk Michele St. Jacques expounded on the increase in the Elections, Registration & Vital Statistics line item to include more hours for the Supervisors of the Checklist

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of Two Hundred Five Thousand Two Hundred Twenty-six Dollars (\$205,226) for the Police Department:

Police	\$203,226
Police – Special Detail	2,000

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Klumb explained the budget is up 9% due to increased officers' pay and increasing the Police Chief's hours to 34 hours beginning April 1. The original contract was for 20 hours. His hours were increased to 28 for the last half of 2010. Richard Doucette requested a breakdown of time for the Police Chief's 14 extra hours. Chief Dupuis explained that when he was first hired his contract broke down the hours to two hours answering complaints 18 hours administrative time. When Officer LaValley was at the academy, Chief Dupuis went to the Selectmen and requested he work eight more hours for patrol duty. The additional hours will provide coverage to the Town seven days a week from 7am-11pm excluding holidays, vacation and training.

Bob Pearson noted that the Town is headed back to having a full-time police chief when just two years ago a consultant recommended two full-time officers and a part-time chief. His concern was over the money being spent for the police department and not the roads.

Motion made by Bob Pearson to amend Article 13 to reduce the police budget to \$185,000; equivalent to last year's police budget. Seconded. There was discussion about the increase in crime and juvenile issues noting it is important to see the increased patrols. Sally Becker commented as an EMS provider that she feels better when the police are at the scene first. Selectman Hashem praised the Chief for a fine job, followed by a round of applause.

Amendment to Article 13 failed by voice vote.

Moderator called for a voice vote to Article 13.

PASSED BY VOICE VOTE

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of One Hundred Two Thousand Five Hundred Seventy-two Dollars (\$102,572) for the Fire Department and Emergency Services:

Ambulance	\$25,041
Fire & Medical	73,831
Emergency Management	3,700

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Hashem explained that the dispatch services from Merrimack County are up and the radios and pagers need reprogramming. Also, there is an increase of \$1750 for wages for the volunteers. The Emergency Management line is up to pay the assistant \$500. Kern Jackson asked for an explanation of the increase in the ambulance line. The ambulance is up because of the contract price from Hopkinton. The fee is based on the populations of the towns they serve.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

Sally Becker made the motion to restrict Articles 8-14. Seconded.

Moderator called for a voice vote to restrict reconsideration of Articles 8-14.

PASSED BY VOICE VOTE

ARTICLE 15: To see if the Town will vote to raise and appropriate the sum of Four Thousand Six Hundred Dollars (\$4,600) for the following:

Building Inspection/Septic Reviews	\$4,500
Other Public Safety	100

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Klumb explained this is a pass through article covered by fees. When someone has a septic failure, they have to get a new design and pay a fee to the Town of \$300. Part of the fee goes to the septic inspector.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 16: To see if the Town will vote to raise and appropriate the sum of Three Hundred Ninety-two Thousand Nine Hundred Ninety-two Dollars (\$392,992) for Highways, Streets and Sanitation:

Highways and Streets	\$169,950
Highway Block Grant	73,042
Hopkinton-Webster Landfill Transfer Station	150,000

This Article is recommended by the Board of Selectmen

Moved and seconded.

Moderator Janeway asked with current fuel costs higher today than when the budget was drafted, is there a contingency plan to cover this or what assumption was built in? Selectman Klumb stated the contract for the transportation of trash is a fixed price contract with no escalator, even for fuel. No additional funds have been asked for by the Highway Department. The Police Department has a contract price for fuel.

Bob Lake asked if there was a plan to maintain the roads on a rotating schedule. Selectman Klumb stated the plan is to seal as many roads as the money will allow to get back into a maintenance schedule. Some roads are beyond sealing, there are portions that need to be torn up and rebuilt. They will be done according to the program set up; with major work on short areas and minor work on as many miles as possible.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 17: To see if the Town will vote to raise and appropriate the sum of Fifty-five Thousand Five Hundred Forty-eight Dollars (\$55,548) for the following:

Health Department	\$ 325
Health Agencies	3,452
CASA – Court Appointed Special Advocates for Children	250
Welfare Department	6,300
Community Action Program	4,182
Parks & Recreation	3,310
Penacook Community Center	500
Library	33,729
Patriotic Purposes – Old Home Day	3,000
Conservation Commission	500

This Article is recommended by the Board of Selectmen

Moved and seconded.

Selectman Hashem explained there is a volunteer interested in organizing Old Home Day. Discussion on money paid to Franklin VNA and how many residents are served. Concord VNA serves Webster, and it was also suggested to pay Concord some money, too. The Selectmen will look into paying both Concord and Franklin VNA. Kim Fortune asked what the Penacook Community Center money was used for. Judy Jones said it was an annual request and was for after-school and adult programs.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 18: To see if the Town will vote to raise and appropriate the sum of Sixty-one Thousand Three Hundred Seventy-eight Dollars (\$61,378) for repayment of Long Term Debt and TAN interest:

Principal – Long Term Bond	\$40,000
Interest – Long Term Bond	20,378
TAN – Interest	1,000

This Article is recommended by the Board of Selectmen

Moved and seconded.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 19: To see if the Town will vote to raise and appropriate the sum of One Hundred Seventy-two

Thousand Five Hundred Dollars (\$172,500) to be added to the following previously established Capital Reserve Funds:

Fire Dept. – Air Packs	7,000
Bridge Improvements	40,000
Fire Dept. – Dry Hydrant Repairs	2,000
Reappraisal	6,500
Town Hall Improvements	20,000
Police Cruiser	15,000
Fire Truck	48,000
Highway Land/Building Fund	15,000
Fire Department – Bunker Gear	5,000
Public Safety Building	5,000
Webster/Hopkinton Transfer Station Fund	3,000
Cemetery Improvements Fund	1,000
Police Equipment	2,500
Highway Equipment Capital Reserve	2,500

This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Hashem explained the total is down \$7,700. Question from the floor as to whether the funds could be exchanged between funds. Selectman Hashem stated the Selectmen cannot move them between funds.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 20: To see if the Town will vote to raise and appropriate the sum of Nine Thousand Dollars (\$9,000) to be added to the previously established Expendable Trust Funds:

Forest Fire Expendable Trust Fund	\$2,000
Welfare – Expendable Trust Fund	2,000
FD Equip. – Expendable Trust Fund	5,000

This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Cummings explained the Selectmen could spend money out of them during the year if they did not have enough funds in that operating line but cannot transfer between the accounts.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 21: Shall the Town vote to authorize the Board of Selectmen to offer for sale, as adopted at the annual Town Meeting of 1994 per RSA 80:42 III and 80:80 III, to abutters only those lots owned by the Town located in the Pillsbury Lake District, with the stipulation that the lots be merged with the existing abutting lot and no further lot-line adjustment will be allowed. The price to be determined by the Board of Selectmen at the time of sale. The list of properties available are as follows:

Map 10-1-109

Map 10-4-143

Map 10-6-41

This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Klumb explained that each year the Selectmen look at the land the Town owns to see if it is eligible for sale and if it is in the Pillbury Lake District, they review to see whether it will create a newer, buildable lot. The lots are sold to abutters by a bid process which puts the property back into taxable status.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 22: To see if the Town will vote, pursuant to RSA 32:5 V-a, to require that all votes of the governing body relative to budget items or Warrant Articles shall be recorded votes and the numerical tally of any such vote shall be printed in the Town Warrant next to the affected Warrant Article.

This Article is recommended by the Board of Selectmen

Moved and seconded. Selectman Cummings explained that if there was dissent on a warrant article it would be reflected on the warrant under the articles ie. this article is recommended by the Board of Selectmen Yes -2 No 1 Selectman Hashem added it would be for any vote on an article not necessarily dissent. The hope is to accurately reflect each Selectmen's vote on an article.

Moderator called for a voice vote.

PASSED BY VOICE VOTE

ARTICLE 23: To transact any other business that may legally come before this meeting.

David Collins suggested more communication is needed for Planning Board articles (Zoning amendments) and that members of the Planning Board should be available to speak and answer questions at community gatherings such as the budget hearing and candidates night. It would be a good time to give more information to members of the community.

Jane Difley requested an explanation to the statement in the auditors report regarding the recording of long-term costs of retirement health care and obligations for other post employment benefits in governmental activities that have not been recorded and are not in accordance with generally accepted accounting practices. Moderator Janeway summarized it by saying we did not get a clean audit. Selectman Hashem explained if you do not account for everything perfectly the auditors have to give that qualified opinion. Wendy Pinkham explained the Town has not adopted GASB 45 and until such adoption, the Town will not be in compliance. Selectman Cummings explained the auditor would like the Town to form a special account for post-employment expense. For example, if a full-time employee leaves, the Town may owe them for leave time not taken. It is a technicality and is nothing to be alarmed about.

Road Agent Bean thanked the Town for their support throughout the year.

Selectman Cummings thanked the Supervisors for their work this past year and their work to purge the list in the year to come. Also a special thank you to Dorothy Proulx for donating a computer to make the Supervisors of the Checklist job easier. Thank you to all volunteers who serve on boards and all Town employees.

Selectman Hashem then read the following prepared statement:

"There has been much talk about the anonymous letter many residents have received.

The Board should not investigate an anonymous complaint that cannot be substantiated. The Board does not have jurisdiction in a school district issue. However, the letter alleges there are residents who will not report unfair or unwarranted treatment by employees of this town out of fear.

The Board has the responsibility to investigate all complaints; however, the Board cannot investigate and resolve issues of which it has no knowledge.

Any person who feels they have received unfair or unwarranted treatment by any employee of the town should send their complaint to the Board. The complaint will be held in confidence. A written complaint must include a name and phone number for verification or the complaint may be made in person.

The complaint will be discussed in a non-public session. Pursuant to RSA 91-A:3 II (c), if an issue involves a situation which, if discussed in public, would likely affect adversely the reputation of any person, it must be discussed in a non-public session.

Under penalty of law, each member of your Select Board is individually and personally responsible to maintain the confidentiality of every issue discussed in a non-public session. This protects both the complainant and the town employee."

Selectman Hashem thanked Mary Welch for her service to the Town as Treasurer for four years. A standing ovation was given to outgoing Selectman David Klumb for his four years of service as Selectman. Moderator Janeway announced he would not be running again for moderator in 2012.

Meeting adjourned at 12:00 pm.

Respectfully submitted,

Michele St. Jacques, Town Clerk